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STATE FOR WMDT, WHA/CAN

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SUBJECT: WMD Foreign Consequence Management MoU

Ref: (A) State 12882

¶1. Summary: The Embassy believes that the suggested MoU between DFAIT and State is not necessary because existing arrangements already address its intent. These include a 1986 treaty-level all-hazards mutual assistance agreement; the 1999 Canada-U.S. "Guidelines Concerning Cooperation on Chemical, Biological, Radiological and Nuclear Counterterrorism"; and several regional MoUs between individual states and provinces. In addition, under the aegis of these and other agreements, the GoC and USG are working within the Security and Prosperity Partnership (SPP) involving Canada, the United States, and Mexico, to develop in-depth protocols for responding to disasters and terrorist attacks, including CBRN incidents. End summary.

¶2. The Embassy believes that the proposed MoU between the Department of Foreign Affairs and International Trade (DFAIT) and the State Department is not necessary because existing agreements between Canada and the United States provide the framework for cooperative efforts as envisioned by the proposed MoU. We consulted the Ministry of Public Safety, which would take the lead in coordinating the Canadian response to a disaster, and the Department of Foreign Affairs and International Trade (DFAIT). Both organizations concluded that the agreements we have in place now exceed the level of cooperation being proposed by the new MoU.

¶3. For example, Canada and the United States have signed the 1986 "Canada-U.S. Agreement on Cooperation in Comprehensive Civil Emergency Planning and Management." This agreement covers all hazards, up to, and including, all-out nuclear war. In 1999, Canada and the United States agreed to the "Guidelines Concerning Cooperation on Chemical, Biological, Radiological and Nuclear Counterterrorism," which covers the same ground as the proposed MoU. Regional groupings of provinces and states (in the Pacific Northwest and in the New England/Atlantic provinces areas) have also signed agreements on cross-border assistance that could be implemented in a CBRN incident. (These state/province arrangements, however, have not been ratified by the U.S. Congress).

¶4. Finally, to further obviate the requirement for the proposed non-binding MoU, the GoC and USG are working within the trilateral Security and Prosperity Partnership (SPP) to develop in-depth protocols for responding to disasters and terrorist attacks, including CBRN incidents. Working groups of Canadian, American, and Mexican officials are undertaking actions to strengthen the response capability to incidents involving any of the three nations. SPP Action themes include: "Develop and implement a North American Bioprotection Strategy to Assess, Prevent, Protect, Detect, and Respond to Intentional As Well As Applicable Naturally Occurring Threats to Public Health and the Food and Agriculture System" (see page 21 of the 2006 Security Annex) and "Develop and Implement a Common Approach to Critical Infrastructure Protection and Response to Cross-Border Terrorist Incidents And, As Applicable, Natural Disasters" (see page 25 of the 2006 Security Annex). The SPP documents are available at [www.spp.gov](http://www.spp.gov)

Wilkins